

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and Bernard L. Madoff,

Plaintiff,

v.

ESTATE OF SEYMOUR EPSTEIN,

MURIEL EPSTEIN, as beneficiary and of the Estate of
Seymour Epstein and/or the Trusts created by the Last
Will and Testament of Seymour Epstein, as Executor
of the Estate of Seymour Epstein, and as trustee of
Trusts created by the Last Will and Testament of
Seymour Epstein,

HERBERT C. KANTOR, as trustee of Trusts created
by the Last Will and Testament of Seymour Epstein,

RANDY EPSTEIN AUSTIN, as beneficiary of the
Estate of Seymour Epstein and/or the Trusts created by
the Last Will and Testament of Seymour Epstein,

ROBERT EPSTEIN, as beneficiary of the Estate of
Seymour Epstein and/or the Trusts created by the Last
Will and Testament of Seymour Epstein,

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04438 (SMB)

JANE EPSTEIN, as beneficiary of the Estate of
Seymour Epstein and/or the Trusts created by the Last
Will and Testament of Seymour Epstein,

SUSAN EPSTEIN GROSS, as beneficiary of the Estate
of Seymour Epstein and/or the Trusts created by the
Last Will and Testament of Seymour Epstein, and

SHELBURNE SHIRT COMPANY, INC.,

Defendants.

**ORDER SETTING DEADLINES FOR TRUSTEE'S MOTION FOR SUMMARY
JUDGMENT AND DEFENDANTS' CROSS-MOTION TO DISMISS
FOR LACK OF SUBJECT MATTER JURISDICTION**

THIS MATTER having been scheduled for a Local Rule 7056-1(a) pre-motion conference on July 29, 2020 at 10:00 A.M. before the Court; and the Plaintiff having filed a letter, dated June 9, 2020, requesting a Local Rule 7056-1(a) pre-motion conference and permission to file a motion for summary judgment (ECF No. 101); and the Defendants having filed a letter, dated June 9, 2020, in opposition to the Plaintiff's June 9, 2020 letter (ECF No. 102); and the Plaintiff having filed a second letter, dated June 15, 2020, responding to Defendants' June 9, 2020 letter (ECF No. 105); and the Plaintiff having filed a third letter, dated July 27, 2020, updating the Court on the status of the adversary proceeding (ECF No. 107); and the Court having scheduled a Local Rule 7056-1(a) pre-motion conference in this matter for July 29, 2020 at 10:00 A.M. (the "Conference"); and counsel for the Plaintiff and counsel for the Defendants having appeared at the Conference and having made oral arguments on the issues raised in the parties' letters; and the Court, upon due consideration of the parties' letters and the arguments raised at the Conference, having issued a bench ruling at the conclusion of the Conference; and the Court having directed the Plaintiff's counsel to submit an order consistent with the bench ruling issued at the Conference, it is hereby:

ORDERED, that the Trustee shall file his motion for summary judgment on or before September 4, 2020; and it is further

ORDERED, that Defendants shall file their combined opposition to the Trustee's motion for summary judgment, and cross-motion to dismiss for lack of subject matter jurisdiction on or before October 9, 2020; and it is further

ORDERED, that the Trustee shall file his combined reply in further support of his motion for summary judgment and opposition to Defendants' cross-motion to dismiss for lack of subject matter jurisdiction on or before October 30, 2020; and it is further

ORDERED, that Defendants shall file their reply in further support of their cross-motion to dismiss for lack of subject matter jurisdiction on or before November 6, 2020; and it is further

ORDERED, that this Court may enter sanctions, including judgment against any party, that fails to comply with this Order.

Dated: **July 30, 2020**
New York, New York

/s/ STUART M. BERNSTEIN
HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE